

and so as to provide an epitope within said p53as which gives rise to an antibody which is specific for p53as protein only.

Please amend Claim 5 as follows:

A viral vector containing a cDNA sequence which encodes a protein designated p53as, said p53as being functionally equivalent to active wildtype p53, said p53 and p53as being sequentially the same up to the final 50 carboxy terminal amino acids of p53, said p53as being different than p53 within the final 50 carboxy terminal amino acids of p53 so as to lack a negative regulatory domain of p53 for p53 specific DNA binding found within the last 50 amino acids at the p53 carboxy terminus and so as to provide an epitope within said p53as which gives rise to an antibody which is specific for p53as protein only.

Remarks

This is in reply to the official action of February 1, 2000.

In the above official action, the Examiner has rejected claims 1, 3-6, and 8-11, 15, 17 and 18 under 35 U.S.C. 112.

The Examiner argues that Harris et al. teaches that the “activity” of p53 is dependent upon many factors and thus the term “active” is unclear. Harris et al. clearly understands what is meant by “active”. Harris et al’s question isn’t concerned with the meaning of the word “active” but with what causes p53 to be active or not. In the cited reference to describe p53 function, Harris uses the words “inactivated”, “inactivation”, “transactivate”, “transactivation”, “transactivator”, “inactive”, “inactivation”, “activate”,